

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

VOLKSWAGEN AG, )  
VOLKSWAGEN OF AMERICA, INC., )  
and BUGATTI INTERNATIONAL, S.A., )

Plaintiffs, )

V. )

THE BUGATTI, INC., )

Defendant. )

CASE NO. 05-11067 PBS

**CERTIFICATION**

Pursuant to F.R.C.P. rule 26(b), Local Rule 37.1, the non-party witness, Arbella Protection Insurance Co. asserts that counsel has conferred with plaintiffs' counsel on March 2, 2006 to attempt to avoid or resolve this discovery dispute and to narrow the issue.

ARBELLA PROTECTION INSURANCE CO.  
By its attorney,

DATED:3/3/06

/s/Lewis C. Eisenberg  
Lewis C. Eisenberg, Esq. / BBO #152140  
COSGROVE, EISENBERG and KILEY, PC  
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(617) 479-7770

**CERTIFICATE OF SERVICE**

I, Lewis C. Eisenberg, Esq., as attorney for Arbella Protection Insurance Co., hereby certify that on this date a copy of the within Certification was served on the below attorneys, by hand delivery:

Margaret H. Paget, Esq.  
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and by facsimile and first class mail to:

Michael D. White, Esq.  
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/s/Lewis C. Eisenberg  
LEWIS C. EISENBERG, ESQ.

DATED: 3/3/06